

302 KAR 16:030. Determination of administrative or safety violations which cannot be corrected immediately; section stop order.

RELATES TO: KRS 247.232, 247.234, 247.236

STATUTORY AUTHORITY: KRS 247.234, 247.236

NECESSITY, FUNCTION, AND CONFORMITY: KRS 247.234 authorizes the Commissioner of the Department of Agriculture to provide for inspections for amusement rides or attractions. This administrative regulation establishes procedures to determine violations which cannot be immediately corrected.

Section 1. Definition. "Immediately correctable violation" means a violation which can be corrected on the day of the initial inspection.

Section 2. The department's inspector shall determine the nature and severity of violations and shall determine if the violations are not immediately correctable based on the manufacturer's standards, KRS 247.232 through 247.236, and 302 KAR 16:010 through 302 KAR 16:140.

Section 3. A violation issued for operation of an amusement ride or amusement attraction without a valid business identification number shall be considered a violation which is not immediately correctable.

Section 4. A safety inspector may order closed a unit or portion of a ride which fails to comply with safety or operational guidelines, if closure of the ride does not affect the remaining portion of the ride, by placing upon that unit or portion of the ride a section stop order. The owner shall notify the department when the unit or portion of the ride has been repaired to obtain information for section stop order removal. (15 Ky.R. 2125; eff. 5-11-89; Am. 22 Ky.R. 101; 715; eff. 9-28-95; 1334; eff. 2-20-96; 23 Ky.R. 462; 1927; eff. 10-24-96; 25 Ky.R. 400; eff. 10-22-98; 31 Ky.R. 610; 1053; eff. 1-4-2005; 32 Ky.R. 1460; 1904; eff. 6-2-06; 35 Ky.R. 2133; 2421; eff. 6-5-09.)